IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SIXTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 15263 of 2004

Between:

P. Srinivas, S/o. P. Subba Rao,
C/o. S.B. Sankaram , H.No. 9-15, Vallinagar, Near Electrical Sub Station,
Madhurawada, Visakhapatnam -41.

..... PETITIONER

AND

1 The Transmission Corporation of A.P. Limited Rep. by its Chair Person and Managing Director, Vidyut Soudha, Hyderabad -82.
2 The Chairman & Managing Director A.P.E.P.D.C.L Visakhapatnam.
3 The Superintending Engineer, Operation Circle, A.P.E.P.D.C.L., Vizianagaram.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue any appropriate Writ, Order or direction preferably a Writ in the nature of Writ of Mandamus, declaring the action of the respondents in not considering the petitioner to the post of Junior Lineman as created in the Order No. T.O.O.(CGM-HRD) Ms.No.275 (Personnel Services) dt. 1-3-2004 though the petitioner is eligible to hold the said post as being arbitrary, illegal and violative of order of this Hon'ble Court made in W.P.M.P. No. 30798/99 in W.P.No. 4614/99 dt. 19-11-1999 and consequently direct the respondents to consider the case of the petitioner for the post of Jr. Lineman as created in the said Order.

Counsel for the Petitioner: MR.M.VISWANADHAM

Counsel for the Respondents: MR.D.SUBBA RAO, SC FOR APEPDCL

The Court made the following:

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ORDER:

The petitioner contends that he worked as a contract labour for a period from 03.03.1996 to 31.12.1997 under a licensed contractor of the 1st respondent Corporation. He possessed Post Graduation in Commerce and passed Typewriting Higher grades both in English and Telugu. The petitioner further contends that in pursuance of the earlier directions of this Court, the respondents have to consider his candidature in terms of B.P.Ms.No.36, dated 18.05.1997 for the post of Junior Lineman and other equivalent post. The petitioner claims that he is eligible for the post of Junior Lineman by virtue of his educational qualification.

2. The grievance of the petitioner is that the 3rd respondent did not consider his candidature on some pretext or other.

3. The petitioner is contending that the Transmission Corporation issued an order, covered by T.O.O. (CGM-HRD) Ms.No.275 (Personnel Services), dated 01.03.2004, according sanction for formulating 11 new Rural Operation Stations in the Operation Circle of Vizianagaram, and the respondents are proposing to recruit 24 Junior Linemen out of total 42 vacancies in all categories, and unless there is a direction from this Court, the 3rd respondent will not permit the petitioner to sit for the examination and to appear for an interview. Therefore, he approached this Court, seeking a direction to that effect.

4. In the light of the circumstances explained by the petitioner, the respondents are directed to consider the request of the petitioner to sit for the examination in the ensuing recruitment for the post of Junior Lineman, if he is not otherwise disqualified.

5. The Writ Petition is, accordingly disposed of. No order as to costs.

dsr/rns

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1.The Chair Person and Managing Director,

The Transmission Corporation of Andhra Pradesh Limited,

Vidyut Soudha, Hyderabad-82

2. The Chairman & Managing Director,

A.P.E.P.D.C.L.,Visakhapatnam

3. The Superintending Engineer,

Operation Circle, A.P.E.P.D.C.L.,

Vizianagaram

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